

REMARKS

Claims 1, 5, 8, 11, 21, 26, 29, 31, 33 and 34 are pending in the application.

35 USC 132 Objection of the Specification

The amendment filed February 17, 2004 was objected to under 35 U.S.C. §132 as allegedly introducing new matter into the disclosure. In particular, the Office Action objects to the language "a processor adapted to store said received caller id data into said caller id log only if said incoming call went unanswered by a person, and only when said caller id log is more full than a predetermined threshold".

The Examiner is directed to page 5, lines 15-19 and page 7, lines 20-21 that disclose a processor that is adapted to not make any record in memory of an incoming call that is answered, i.e., a processor adapted to store a received caller id data into a caller id log only if an incoming call went unanswered by a person.

Moreover, the Examiner is directed to, e.g., the specification page 3, line 15-page 4, line 2. The specification details that the storage decision is based on an indication that a memory is more full than a predetermined threshold.

The previous amendment was fully supported by the originally filed specification. The Applicants respectfully request the objection to the specification under 35 U.S.C. §132 be withdrawn.

35 USC 112 First Paragraph Rejection of Claim 8

The Office Action rejected claim 8 as allegedly being indefinite under 35 USC 112, first paragraph. In particular, the Examiner alleges that claim 8 contains subject matter which was not described in the specification in such a way as to reasonably convey that the inventor had possession of the claimed invention. The Examiner rejects the language "a processor adapted to store said received caller id data into said caller id log only if said incoming call went

unanswered by a person, and only when said caller id log is more full than a predetermined threshold".

As discussed above, the Examiner is directed to page 5, lines 15-19 and page 7, lines 20-21 that disclose a processor that is adapted to not make any record in memory of an incoming call that is answered, i.e., a processor adapted to store a received caller id data into a caller id log only if an incoming call went unanswered by a person.

Moreover, the Examiner is directed to, e.g., the specification page 3, line 15-page 4, line 2. The specification details that the storage decision is based on an indication that a memory is more full than a predetermined threshold.

One of ordinary skill in the art at the time of the invention would have been able to program a Call ID storage device to perform the claimed processor to store a received caller id data into a caller id log only if an incoming call went unanswered by a person and based on an indication that a memory is more full than a predetermined threshold.

It is respectfully submitted that claim 8 is in full conformance with 35 USC 112, first paragraph. It is respectfully requested that the rejection be withdrawn.

Claims 1, 8, 11 and 21 over Lee

In the Office Action, claims 1, 8, 11 and 21 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Pat. No. 5,859,903 to Lee ("Lee"), with claims 5 and 26 rejected under 35 U.S.C. §103(a) as allegedly obvious over Lee. The Applicants respectfully traverse the rejection.

Claims 1 and 11 recite a processor to store received Caller ID data into a Caller ID log only if an incoming call went unanswered by a person. Claim 21 recites storing received Caller ID data associated with an incoming telephone call into a Caller ID log only if the incoming telephone call went unanswered by a person.

The Examiner cites col. 4, line 56-col. 5, line 29 and Figs. 1 and 2 of Lee to allegedly disclose a processor adapted to store a received caller ID

data into a caller ID log if an incoming call went unanswered by a person (Office Action, page 3). However, claims 1, 8, 11 and 21 recite a processor to store received Caller ID data into a Caller ID log only if an incoming call went unanswered by a person.

Lee discloses a system for allowing a called party to review Caller ID information for calls when a caller ID has abandoned his or her call too quickly (col. 2, lines 15-29). Caller ID data is stored in a temporary buffer based on a determination that there is no response from an extension line subscriber terminal for a pre-determined time period and whether the office line caller hangs up the phone or cuts off the office line (Lee, col. 5, lines 5-10).

Thus, Lee discloses a system for allowing review of Caller ID for calls that normally a caller would not be able to review Caller ID for because a caller hangs up the phone or cuts off the office line. Lee fails to disclose modification of conventional Caller ID functions that store Caller ID data for all telephone calls. Lee assists a called party in reviewing Caller ID data for calls that normally would not provide Caller ID data to a caller, thus failing to disclose or suggest conditional storage of Caller ID data, much less only if an incoming call went unanswered by a person, as recited by claims 1, 11 and 21.

Claim 8 recites a processor adapted to store a received Caller ID data into a Caller ID log only if an incoming call went unanswered by a person, and only when said Caller ID log is more full than a predetermined threshold.

As discussed above, Lee fails to disclose or suggest or suggest conditional storage of Caller ID data, much less only if an incoming call went unanswered by a person, as recited by claim 8.

Moreover, the Examiner acknowledges at page 4 of the Office Action that Lee fails to disclose storage of Caller ID data only when said Caller ID log is more full than a predetermined threshold, as recited by claim 8, relying on the 35 U.S.C. 132 rejection, which as discussed above is an unsupported allegation.

Lee fails to disclose or suggest a processor adapted to store a received Caller ID data into a Caller ID log only if an incoming call went

unanswered by a person, and only when said Caller ID log is more full than a predetermined threshold.

Claims 5 and 26 recite a system and method to store only a portion but not all of a received Caller ID data into a Caller ID log only if an incoming call was answered by a person.

As discussed above, Lee discloses a system for allowing review of Caller ID for calls that normally a caller would not be able to review Caller ID for because a caller hangs up the phone or cuts off the office line. Lee fails to disclose modification of conventional Caller ID functions that store Caller ID data for all telephone calls. Lee assists a called party in reviewing Caller ID data for calls that normally would not provide Caller ID data to a caller, thus failing to disclose or suggest conditional storage of Caller ID data, much less a system and method to store only a portion but not all of a received Caller ID data into a Caller ID log only if an incoming call was answered by a person, as recited by claims 5 and 26.

Moreover, the Examiner alleges that selecting only a portion of data or all parts of the data would depend more upon the choice of a manufacturer, and the convenience and availability of the machines and tools necessary to store the Caller ID information, than on any inventive concept (Office Action, pages 4 and 5).

Storage of only a portion but not all of a received Caller ID data into a Caller ID log would have to be a feature specifically programmed into a Caller ID receiver and storage device. The tools and the manufacturer have nothing to do with the features that any given manufactured device gives their products. The claimed features provide a Caller ID device with advantages over other Caller ID devices, e.g., improved utilization of a limited amount of available storage. Thus, the cited prior art fails to disclose or suggest a system and method having the advantages recited by Applicants' claims.

For at least all the above reasons, claims 1, 5, 8, 11, 21 and 26 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 29, 31 and 33 over Lee in view of Lim

In the Office Action, claims 29, 31 and 33 were rejected under 35 U.S.C. §103(a) as allegedly obvious over Lee in view of U.S. Patent No. 5,883,942 to Lim et al. (“Lim”). The Applicants respectfully traverse the rejection.

Claims 29, 31 and 33 are dependent on claims 21 and 29, and are allowable for at least the same reasons as claims 21 and 29.

Claim 29 recites storing received Caller ID data associated with an incoming telephone call into a Caller ID log only if the incoming telephone call went unanswered by a person. Claims 31 and 33 recite if a Caller ID log is more full than a predetermined threshold, storing received Caller ID data into a Caller ID log only if an incoming telephone call went unanswered by a person.

As discussed above, Lee assists a called party in reviewing Caller ID data for calls that normally would not provide Caller ID data to a caller, thus failing to disclose or suggest conditional storage of Caller ID data, much less only if an incoming call went unanswered by a person, as recited by claims 29, 31 and 33.

The Office Action relies on Lim to allegedly make up for the deficiencies in Lee. The Applicants respectfully disagree.

The Examiner acknowledges that Lim discloses Caller ID storage decisions are made in response to user input and affects Caller ID data already stored (Office Action, page 5).

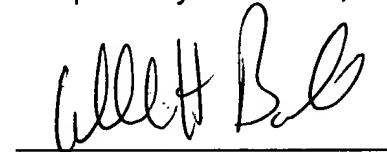
The Examiner points to Lim col. 6, lines 20-29 to disclose determining that a Caller ID log is more full than a predetermined threshold. However, Lim simply discloses conventional operation of a Caller ID storage device that stores Caller ID data until Caller ID storage becomes full. Once the Caller ID storage becomes full, the oldest Caller ID data is deleted to make room for a new entry. The same system is disclosed by Lee at col. 5, lines 23-29. In both Lee’s and Lim’s storage of Caller ID data, ALL of the received Caller ID data is stored. Neither Lee nor Lim disclose or suggest conditional storage of Caller ID data, much less only if the incoming telephone call went unanswered by a person and if a Caller ID log is more full than a predetermined threshold, as recited by claims 29, 31 and 33.

For at least all the above reasons, claims 29, 31 and 33 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

MANELLI DENISON & SELTER PLLC

2000 M Street, NW
Suite 700
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336

WHB/df